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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/343758
Filing Date: June 30, 1999
Appellant(s): DIMITRI KANEVSKY

Dimitri Kanevsky
For Appellant

EXAMINER'S ANSWER

RD

This is in response to the appeal brief filed May 18, 2005.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

This appeal involves claims 1-5, 7-21, 23-25, and 33-37.

Claims 1-5, 7-21, 23-25, and 33-37 are rejected under 35 U.S.C. 102(a) as being anticipated by James ("James", Netscape Navigator 3.0).

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejection of claims 1-5, 7-21, 23-25, and 33-37 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

James, Phil "Netscape Navigator 3.0 ", 1996, pages 337-377.

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:
Claims 1-5, 7-21, 23-25, and 33-37 are rejected under 35 U.S.C. 102(a) as being anticipated by James ("James", Netscape Navigator 3.0).

This detailed rejection is as follow:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-5, 7-21, 23-25, and 33-37 are rejected under 35 U.S.C. 102(a) as being anticipated by James ("James", Netscape Navigator 3.0).

Regarding claim 1, James teaches a method of transferring data across a computer network (downloading web pages), said computer network including a

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plurality of computers, a database stored on one of said plurality of computers, said method comprising the steps of requesting transfer of data stored on a remote computer system (requesting transfer of images)(pages 357-358);

identifying at least one object (image) included in said requested data as being associated with a generic object (placeholder) (last paragraph of page 359), wherein each said at least one object is a species object of its associated said generic object (the image has specific characteristics such as particular image location and size of the place holder in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of its placeholder); and

substituting a corresponding said generic object for each said associated at least one object, substituted said corresponding generic objects being transferred with said data before associated objects (pages 359-360, Fig. 8-16).

Regarding claim 14, James teaches an interface device for connecting and retrieving data from a remote computer system, said interface device comprising means for setting data transfer constraints (Auto Load Images, Figure 8-15), means for requesting transfer of data from a remote computer system (requesting transfer of images)(pages 357-358), means for storing a plurality of generic objects (placeholders), each stored generic object corresponding to an original object in data requested from said remote computer system, (placeholder for each image), wherein each said at least one object is a species object of its associated said generic object (included image has specific characteristics such as particular image location and size of the place holder in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of its

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placeholder), means for substituting a corresponding said generic object for each of said at least one object, said substituted corresponding generic objects being transferred with said data before associated objects (page 361, line 3), outputting said requested data including said generic objects (Fig. 8-16) or corresponding original objects (reloading the document with graphics displayed) (page 361, Fig. 8-16).

Regarding claim 17, James teaches a method of compressing digital images, comprising the steps of identifying, in a digital image (web page), objects, objects' names, positions, characteristics of objects (identifying graphic image, its size and location on the page) (last paragraph of page 359), substituting identified objects for generic objects, position data and characteristics to form a modified digital image (replace images with placeholders, Fig. 8-16) wherein each said at least one object is a species object of its associated said generic object (included image has specific characteristics such as particular image location and size of the place holder in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of its placeholder), sending the modified digital image to a client system for display (page 359, last paragraph) (Fig. 8-16).

Regarding claim 18, James teaches a method for restoring a compressed image comprising the identifying generic objects (placeholder icons) in received image data; identifying corresponding objects (image) in subsequently received data (Fig. 8-16, page 359, last paragraph) wherein each said at least one object is a species object of its associated said generic object (included image has specific characteristics such as particular image location and size of the place holder in Fig. 8-16, therefore, included

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image is reasonably interpreted as a species object of its placeholder); substituting said identified generic objects in said received image data for said corresponding objects to form an uncompressed image and displaying said uncompressed image (reloading the document with graphics displayed) (page 361, Fig. 8-16).

Regarding claim 19, James teaches a computer program product for transferring data across a computer network including a plurality of computer, a database stored on one of said plurality of computers, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising: computer readable code means for setting data transfer constraints (Auto Load Images, Figure 8-15), computer readable code means for requesting transfer of data from a remote computer system (requesting transfer of images) (pages 357-358) from a remote computer system, computer readable code means for identifying at least one object (image) included in said requested data as being associated with a generic object (placeholder for a corresponding image), wherein each said at least one object is a species object of its associated said generic object (included image has specific characteristics such as particular image location and size of the place holder in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of its placeholder), computer readable code means for substituting a corresponding said generic object for each of said at least one object responsive to said data transfer constraints (page 359, last paragraph) (Fig. 8-16).

Regarding claims 24-25, James teaches a method of transferring data across a computer network, said computer network including a plurality of computers, a database stored on one of said plurality of computers, said method comprising the steps of setting data transfer constraints (Auto Load Images, Figure 8-15), requesting transfer of data stored on a remote computer system (requesting transfer of images) (pages 357-358), identifying at least one object (image) included in said requested data as being associated with a generic object (placeholder, Fig. 8-16), substituting a corresponding said generic object for each of said at least one object in a web browser image responsive to said data transfer constraints (substituting placeholders for graphic images in the web page), transferring generic object codes associated with related images from said remote computer system and displaying said web browser image while transferring, wherein when related images are displayed, generic objects associated with said transfer generic object codes are substituted in said displayed related image (placeholders are substituted in the displayed page in Fig. 8-16) (page 361).

Regarding claim 33, James teaches a method of transferring data across a computer network (downloading web pages), said computer network including a plurality of computers, a database stored on one of said plurality of computers, said method comprising the steps of requesting transfer of data stored on a remote computer system (requesting transfer of images) (pages 357-358); identifying at least one object (image) included in said requested data as being associated with a generic object (placeholder; Fig. 8-16), and substituting a corresponding said generic object for each

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said associated at least one object (a small icon appears as a placeholder whenever an image is supposed to display) (last paragraph of page 359).

Regarding claim 34, James teaches an interface device for connecting and retrieving data from a remote computer system, said interface device comprising means for setting data transfer constraints (Auto Load Images, Figure 8-15), means for requesting transfer of data from a remote computer system (requesting transfer of images) (pages 357-358), means for storing a plurality of generic objects (placeholders), each stored generic object corresponding to an original object in data requested from said remote computer system, (placeholder for each image), means for substituting a corresponding said generic object for each of said at least one object, said substituted corresponding generic objects being transferred with said data before associated objects (page 361, line 3), outputting said requested data including said generic objects (last paragraph of page 359) (Fig. 8-16) or corresponding original objects (reloading the document with graphics displayed) (page 361, Fig. 8-16).

Regarding claim 35, James teaches a method of compressing digital images, comprising the steps of identifying, in a digital image (web page), objects, objects' names, positions, characteristics of objects (identifying graphic image, its size and location on the page) (last paragraph of page 359), substituting identified objects for generic objects, position data and characteristics to form a modified digital image (replace images with placeholders, Fig. 8-16), and sending the modified digital image to a client system for display (last paragraph of page 359) (Fig. 8-16).

Regarding claim 36, James teaches a method for restoring a compressed image comprising the identifying generic objects (placeholder icons) in received image data; identifying corresponding objects (image) in subsequently received data (Fig. 8-16, page 359, last paragraph); substituting said identified generic objects in said received image data for said corresponding objects to form an uncompressed image and displaying said uncompressed image (reloading the document with graphics displayed) (page 361, line 3).

Regarding claim 37, James teaches a computer program product for transferring data across a computer network including a plurality of computer, a database stored on one of said plurality of computers, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising: computer readable code means for setting data transfer constraints (Auto Load Images, Figure 8-15), computer readable code means for requesting transfer of data from a remote computer system (requesting transfer of images) (pages 357-358), computer readable code means for identifying at least one object (image) included in said requested data as being associated with a generic object (placeholder for a corresponding image), computer readable code means for substituting a corresponding said generic object for each of said at least one object responsive to said data transfer constraints (last paragraph of page 359) (Fig. 8-16).

Regarding claim 2, James teaches said stored data includes image and sound data (page 337).

Regarding claim 3, James teaches the displaying compressed web browser image (page 360).

Regarding claim 4, James teaches that the remote computer system identifies generic objects (inherent).

Regarding claims 5, 13, and 21, James teaches that while the web browser image is being displayed, the remote computer system is transferring generic object codes associated with related images (page 359, last paragraph).

Regarding claims 7 and 23, James teaches the transferring requested object while a corresponding generic object is being displayed and when said requested object is received, replacing and displaying each corresponding generic object with each said requested object (reloading the document with graphics displayed) (line 3, page 361).

Regarding claims 8-10, James teaches the data transfer constraint includes a mode constraint (text-only mode or Auto Load Images mode) (page 359). James further teaches when constraint is not selected, data is transferred from said database and the web browser image is displayed normally (see Fig. 8-15 in page 360 for normally displayed image with the Auto Load Images option).

Regarding claims 11-12, James teaches when said quick mode constraint is not selected (i.e. Auto Load Images option is on), data is transferred from said database and the web browser image is displayed normally (see Fig. 8-15 in page 360 for normally displayed image with the Auto Load Images option).

Regarding claim 15, James teaches that the outputting means is a video display (page 337).

Regarding claim 16, James teaches that the interface device is a speaker (page 337).

Regarding claim 20, James teaches a database with a plurality of generic objects (placeholder).

(11) Response to Argument

In response to Appellant's argument that "James does not teach a web browser wherein specific objects are replaced by generic objects such that the results represent the original with the data content discernable from the representation", it is noted that such is not quite the case. From Figure 8-16, it is clear that James teaches a web browser (Netscape) wherein specific objects (Images) are replaced by generic objects (placeholders) such that the results represent the original with the data content discernable from the representation (one can easily see that placeholders in Fig. 8-16 are discernable from the representation by having different locations and dimensions).

In response to Appellant's argument that "Substituting the placeholder icon for every image, regardless of what the image portrays, certainly is not "storing a plurality of generic objects, each stored generic object corresponding to an original object in data requested from said remote computer system", it is noted that such is not quite the case. Firstly, the claims do not recite the limitation "image portrays". Secondly, James' teaching "a small icon appears as a placeholder wherever an image is supposed to display" (see page 359) shows that a placeholder of an image does not appear randomly at any place, but the placeholder appears at the very position on which the

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image is supposed to display. Therefore, the placeholder is corresponding or associating with the image.

In response to Appellant's argument that "James fails to indicate how the icon is generated", it is note that such is not quite the case since the claims do not cite how a generic object (corresponding to icon or placeholder in James' teaching) is generated.

In response to Appellant's argument that "James' placeholder icon is not being supplied independently by the originating site", it is note that such is not quite the case since the claims do not recite that generic object (corresponding to icon or placeholder in James' teaching) is being supplied independently by the originating site.

In response to Appellant's argument that "When James teaches that for a slow modem connection, one can turn off an Auto Load Graphics option....." it is noted that Fig. 8-15 in page 360 illustrates a normally displayed web browser image with the Auto Load Images option.

In response to Appellant's argument that "while James teaches that upon coming across a particular document whose graphics you want to view, you can easily display them by clicking the Images button" it is very clear that one identifies which particular documents those are, not by the placeholder icons, but by displayed text", it is noted that this argument is irrelevant in the context of the claims since the claims are silent regarding how a particular document is identified.

In response to Appellant's argument that "If a particular web page includes a single image and no text, Netscape 3.0 with imagers blocked displays only the single placeholder icon. All that this conveys is that the page includes something but give no

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clue to what is included. By contrast, at the very least, the same page displayed according to the present invention would include a generic representation of the omitted image", it is noted that such is not quite the case. In Figure 8-16, the top placeholder icon clues a viewer that the page includes at least an image displayed at the position where the placeholder is, the image is having the same size with that of the placeholder icon, and the content of the image relates to "SportsLine USA".

In response to Appellant's argument regarding Exhibit E and Exhibit F, it is noted that these exhibits were considered, however, they do not contribute to the patentability of the claims.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



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